

Before the  
Federal Communications Commission  
Washington, D.C. 20554

FCC 01M-13

2002 JUN -1 A 00461

In the Matter of	)	
	)	
C. F. Communications Corp., et al.,	)	EB Docket No. 01-99
	)	
Complainants,	)	
	)	
v.	)	File Nos. E-89-170, E-89-171, E-89-172,
	)	E-89-179, E-89-180, E-89-181, E-89-182,
	)	E-92-97, E-93-34, E-93-35, E-93-36,
Century Telephone of Wisconsin, Inc., et al.,	)	E-93-37, E-93-38, E-93-39, E-93-40,
	)	E-93-41, E-93-42, E-93-43, E-93-44,
Defendants.	)	E-93-45, E-93-46, E-93-47, E-93-48,
	)	E-93-49, E-93-50, E-93-56, E-93-57,
	)	E-93-58, E-93-59, E-93-60, E-93-61,
	)	E-93-62, E-93-73, E-93-74, E-93-081

ORDER

Issued: May 25, 2001

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Released: May 30, 2001

This will confirm certain rulings made during the course of the May 24, 2001, prehearing conference in this proceeding.

It was determined at the prehearing conference that the following parties have settled their differences and have no further interest in participating in this proceeding: (1) C. F. Communications Corp.; (2) Century Telephone of Wisconsin, Inc.; (3) North West Telephone Company; (4) Turtle Lake Telephone Company; (5) GTE North, Inc.; (6) Michigan Bell Telephone Company; (7) Wisconsin Bell, Inc.; and (8) Mosinee Telephone Company. Consequently, the party status of these entities will be terminated, and the file numbers of the complaints associated with these entities will be deleted from the caption of this case.

The following parties failed to file notices of appearance as required by paragraph 26 of the *Hearing Designation Order*, DA 01-1044, released April 24, 2001 ("HDO"), and Section 1.221(c) of the Commission's Rules: (9) American Payphone, Inc.; and (10) Utelco, Inc. Further, neither of these parties attended the prehearing conference. Therefore, the party status of these entities will be terminated, the complaint associated with File No. E-93-57 will be dismissed with prejudice for failure to prosecute, and that file number will be deleted from the caption of this case.

Accordingly, IT IS ORDERED that the party status of the following entities IS TERMINATED: (1) C. F. Communications Corp.; (2) Century Telephone of Wisconsin, Inc.; (3) North West Telephone Company; (4) Turtle Lake Telephone Company; (5) GTE North, Inc.; (6) Michigan Bell Telephone Company; (7) Wisconsin Bell, Inc.; (8) Mosinee Telephone Company; (9) American Payphone, Inc.; and (10) Utelco, Inc.

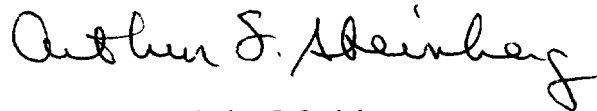
IT IS FURTHER ORDERED that the complaint associated with File No. E-93-57 IS DISMISSED, with prejudice, for failure to prosecute.

IT IS FURTHER ORDERED that the following file numbers ARE DELETED from the caption of this proceeding: (a) E-89-170; (b) E-89-171; (c) E-89-172; (d) E-89-179; (e) E-89-180; (f) E-89-181; (g) E-89-182; (h) E-92-97; and (i) E-93-57.

IT IS FURTHER ORDERED that the following procedural schedule IS ESTABLISHED:

June 1, 2001	The parties shall advise the Presiding Judge by letter of the file numbers of the outstanding complaints in this proceeding, and the original and current names of the complainants and defendants in each complaint. <sup>1</sup>
August 3, 2001	Completion of all discovery.
August 17, 2001	The parties shall file reports on their efforts to reach settlements of the captioned complaints.
August 31, 2001	The parties shall file reports on their efforts to reach stipulations.
September 21, 2001	Exchange of written <sup>2</sup> direct case exhibits, stipulations, and a list of witnesses, if any, to be called for oral testimony. <sup>3</sup>
October 1, 2001	Admissions session and notification of witnesses desired for cross-examination, commencing at 9:00 a.m. in the Commission's Washington, D.C., offices.
October 15, 2001	Commencement of the hearing at 9:00 a.m. in the Commission's Washington, D.C., offices. <sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION



Arthur I. Steinberg  
Administrative Law Judge

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<sup>1</sup> The law firm of Dickstein Shapiro Morin & Oshinsky LLP shall also notify the Presiding Judge as to whether they represent NYPAY Communications Co. in this proceeding.

<sup>2</sup> It will conduce to the orderly dispatch of the Commission's business and contribute significantly to the disposition of this proceeding to have all or substantially all of the direct case exhibits reduced to writing, and the parties are directed to do so. *See HDO*, at para. 14.

<sup>3</sup> All exhibits and witness lists must be received by all parties and the Presiding Judge not later than this date. The exhibits should be serially numbered or lettered, separately paginated, and assembled in a binder with a tab on each document. A prefix should be used to indicate the party sponsoring the exhibit (*e.g.*, Ascom Ex. A; Verizon Ex. 1). If official notice is requested of any materials, they should be assembled in written form, properly identified by source, given an exhibit number or letter, and exchanged on the date set. An index containing a descriptive title of each exhibit, the number of pages contained in each exhibit, and the identification of the sponsoring witness(es) of each exhibit should be included.

<sup>4</sup> A procedural schedule relating to rebuttal and (possible) surrebuttal cases will be discussed with the parties at a later date.